



July 2000

# VOTING INFORMATION NEWS

Vol. 10 No. 7

A roundup of voting news from the Federal Voting Assistance Program (FVAP) ☒ For voters, potential voters and those who assist voters.

## Did you know...

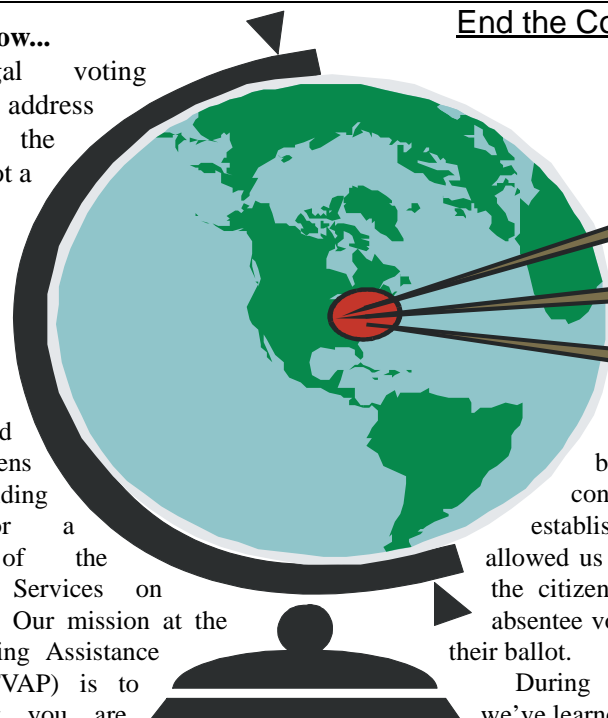
Your legal voting residence address pinpoints the type of ballot a Local Election Official sends to you.

Are you a United States citizen who is residing abroad or a member of the Uniformed Services on active duty? Our mission at the Federal Voting Assistance Program (FVAP) is to ensure that you are provided the chance to cast your ballot no matter where you are in the world. With U.S. citizens scattered around the world, it has been a challenge to try to reach as many citizens as possible.

Most of our efforts have focused on training the trainer. Our goal is to reach out and help inspire and prepare Voting Assistance Officers (VAO). These VAOs are responsible for carrying out the most vital aspects of the absentee voting program. They assist citizens directly. This is the main reason that they need to have a thorough understanding of the election process, knowledge of the materials used in the absentee voting process, as well as the proper way to request an absentee ballot.

One advantage of these workshops has

## End the Confusion



been the personal contacts that we have established. They have also allowed us to speak directly to the citizens who rely on the absentee voting process to cast their ballot.

During our workshops, we've learned that there is some confusion about determining a voting residence. Some people just don't know where they should be voting and what state they should claim as their home state.

To help address residency questions, the FVAP provides general voting residency guidelines which VAOs and citizens can refer to when questions arise.

Generally, to vote in a state, a citizen must claim that state as his/her legal voting residence and submit a Federal Post Card Application (FPCA) to the local election official to request registration and/or an absentee ballot. Chapter 2 of the Voting Assistance Guide (VAG) provides an overview of voting residency guidelines. Because election laws vary from state to state, Chapter 3 of the VAG should be referred to for instructions and guidelines

## Voting Residency Guidelines Below

(available in hard-copy format or on-line at the FVAP Website [www.fvap.ncr.gov](http://www.fvap.ncr.gov)).

This article contains general guidelines for helping to determine voting residence. The first section will cover members of the Uniformed Services and their family members, with the second covering voting residence for citizens residing outside the United States. Note: These are only **General Guidelines** to help determine state of legal residence for voting purposes. Voting Assistance Officers who have difficulty answering these questions should consult with their installation legal counsel.

### Voting Residency Guidelines for members of the Uniformed Services and their family members

- ⦿ You must have lived in the state and have the intent to remain or return.
- ⦿ There can be only one legal residence at a time, but the residency may be changed when transferred to a new location. You must make a conscious decision to change residency. Specific actions which may be interpreted as conscious decisions include registering to vote, registering a car, qualifying for in-state tuition, obtaining a driver's license, etc.
- ⦿ Once a residence is changed, you may not revert to (See **Guidelines**, on page 4)

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## Attention All Voters...

Please review the following helpful hints. If followed, these suggestions would help simplify the absentee voting process and eliminate many possible reasons for disenfranchisement.

- ▶ Unregistered absentee voters should request their ballots at least 60 days before the election and registered voters at least 45 days before the election. Remember, voter registration can be affected or cancelled for several reasons: not voting for a period of time, changed residence since the last registration (See **Helpful Hints**, on page 2)



## HELPFUL HINTS...PASS THEM ALONG!

(**Helpful Hints** from page 1) or election, changed name since the last registration or election, or changing political party preference since the last registration. Also, registering to vote at a new place of legal residence will cancel your registration at your previous residence and may cause you to incur state or local tax liabilities (for more information see Appendix E of the 2000-01 Voting Assistance Guide titled "Probable State Income Tax Liability").

▶ Local Election Officials (LEO) make the final determination of a voters eligibility to register and vote in that county, city or state (see article 1).

▶ Be aware of the states that require a separate Federal Post Card Application (FPCA) submission requesting ballots for each election in a calendar year.

▶ United States citizens are afforded full voting assistance at all U.S. Embassies and Consulates.

▶ Voting Assistance Officers at Embassies/Consulates provide notarial services free of charge for voting materials.

▶ Provide your fax number on the FPCA and include all international prefixes, county or city codes (provide commercial fax numbers only). This will allow the LEO to get in touch with you if they need additional information when deadlines are approaching. When utilizing the electronic transmission service, please refer to Appendix C of the 2000-01 Voting Assistance Guide. Most states that permit faxing of the voted ballot require the voter to sign a waiver of his or her right of a secret ballot. After faxing, please mail the hard copy.

▶ Provide additional information in the Remarks Section of the FPCA which may assist LEOs in processing the application.

Example: maiden name or other name used, name and telephone number of a local contact person and/or your e-mail address.

▶ Always consult the current Voting Assistance Guide to determine which election material may require a witness or notary. Military personnel, including noncommissioned officers, who are designated as Voting Assistance Officers are authorized in accordance with DoD Directive 1000.4, of September 4, 1996, to administer oaths (notary services) in connection with voter registration and voting to members of the military and their family members. However they may not act as a notary for Department of Defense or other U.S. government civilian personnel or non-governmental civilians unless able to do so in another capacity (remember, Embassies and Consulates provide notary services for voting materials free of charge).

▶ The FPCA does not require postage if mailed in the U.S. postal system, including all U.S. military post offices (APO, FPO) overseas as well as diplomatic pouches. Many Embassies and Consulates have access to U.S. military post offices. Those that have access will accept the FPCA and give it to the U.S. military post office. The FPCA may also be sent postage-free through the diplomatic pouch at Embassies and Consulates. However, the diplomatic pouch may not have a regular pick-up schedule. If you are mailing election materials from overseas and do not have access to a U.S. Embassy/Consulate or an APO/FPO address, please affix the proper postage necessary to get the materials into the U.S. postal system.

▶ Vote and return the ballot as soon as possible.

▶ Have the postal clerk handstamp the ballot envelope verifying the mailing date.

▶ Don't Forget about the Federal Write-In Absentee Ballot (FWAB) as a back-up write-in ballot for Federal Offices in the General Election. The September Voting Information News newsletter will feature this important absentee voting resource.

▶ Receive the Voting Information News newsletter and the Voting News Release. These are essential publications and will help you stay up-to-date on (See **Helpful Hints**, on page 3)

### Federal Voting Assistance Program

*Voting Information News* provides information for citizens and Voting Assistance Officers and is published monthly by the FVAP.

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#### Internet Access:

E-mail: [vote@fvap.ncr.gov](mailto:vote@fvap.ncr.gov)  
<http://www.fvap.ncr.gov>



**Write To:** Federal Voting Assistance Program  
 Department of Defense  
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**Note:** Copying or using VIN articles in other publications, etc. is encouraged.

**(Helpful Hints, from page 2)** current election information. To request your copies, please e-mail the FVAP at [vote@fvap.ncr.gov](mailto:vote@fvap.ncr.gov) or contact Mr. Matt Knefel (contact information page 2).

►Get a copy of your service's Voting Action Plan. The plan lays out a timeline for voting assistance.

►The FVAP encourages citizens to bring problems encountered in the voting process to the attention of their Voting Assistance Officers on military installations or at Embassies or Consulates. If a problem cannot be resolved locally, then contact the FVAP.

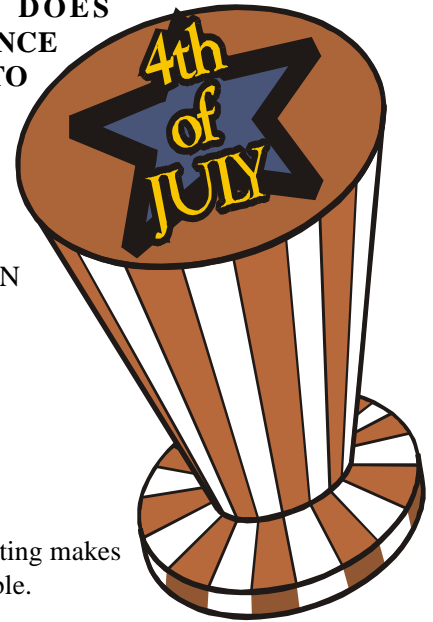
►Remember: It is a Voting Assistance Officer's responsibility to provide accurate, nonpartisan voting information and assistance to citizens attempting to register and/or vote. It is the citizen's responsibility to obtain information about candidates and issues.

**Be especially careful to avoid the following mistakes when completing the FPCA. LEOs state that these are the most common reasons why the FPCA could not be processed.**

- ☞ No, or inadequate, voting residence address
- ☞ Illegible or inadequate mailing address (where to send ballot)
- ☞ Application sent to the incorrect jurisdiction
- ☞ Failure to indicate Party preference for primary elections
- ☞ Illegible handwriting
- ☞ FPCA received too late
- ☞ Required areas of FPCA not complete
- ☞ No signature
- ☞ No Date-of-Birth given
- ☞ FPCA not witnessed or notarized (where required) ☑

## WHAT DOES INDEPENDENCE DAY MEAN TO YOU?

FREEDOM  
LIBERTY  
VICTORY  
CELEBRATION  
PARADES  
PARTIES  
COOKOUTS  
FIREWORKS  
SPARKLERS  
VOTING



Voting? Yes, Voting makes all of this possible.

During the month of July, think about your duties as an American citizen. Citizens have the right to vote no matter where they are in the world.

On the Fourth of July, the United States of America celebrates its freedom. Continue to celebrate that freedom by exercising your Constitutional right as an American...VOTE. ☑

**HAPPY INDEPENDENCE DAY!**

### Attention All Voting Assistance Officers

#### Did You Know...

The Voting Assistance Program is an Inspector General (IG) inspection item. BE PREPARED. Have your program up and running. Be aware of any internal reporting requirements you may have.

### VOTING ACTION OFFICERS

#### Department of State: Office of American Citizens Services

Voting Action Officer: Mr. Ron Hawkins **tel:** (202) 647-9100 **tel FTS:** 8-647-6060, **fax:** (202) 647-6201  
**E-mail:** [HAWKINSRE@state.gov](mailto:HAWKINSRE@state.gov)

#### Service Voting Action Officers

Dept. of the Army: Mr. Tom Feazell **tel:** (703) 325-4530 **tel DSN:** 221-4530, **fax:** (703) 325-4532, **fax DSN:** 221-4532  
**E-mail:** [feazellt@hoffman.army.mil](mailto:feazellt@hoffman.army.mil)

Dept. of the Navy: Mr. John Hillis **tel:** (901) 874-4369, **tel DSN:** 882-4369,  
**fax:** (901) 874-2689, **fax DSN:** 882-2689 **E-mail:** [p662b@persnet.navy.mil](mailto:p662b@persnet.navy.mil)  
**World Wide Web:** <http://www.persnet.navy.mil/nvap>

Dept. of the Air Force: TSgt Sophia Barnard **tel:** (210) 565-2563, **toll-free:** (800) 558-1404 **tel DSN:** 665-2563,  
**DSN fax** 665-2543, **Commercial fax** (210) 565-2543 **E-mail:** [Sophia.Barnard@afpc.randolph.af.mil](mailto:Sophia.Barnard@afpc.randolph.af.mil)  
**World Wide Web:** <http://www.afpc.randolph.af.mil/ccprog/VOTING/VOTING.htm>

Marine Corps: Gunnery Sergeant Dennis Hellberg **tel:** (703) 784-9511 **tel DSN:** 278-9511, **fax:** (703) 784-9827,  
**fax DSN:** 278-9827 **E-mail:** [Dennis\\_J\\_Hellberg/MR/MANPOWER@manpower.usmc.mil](mailto:Dennis_J_Hellberg/MR/MANPOWER@manpower.usmc.mil)

U.S. Coast Guard: MCPO Jeff Creighton **tel:** (202) 267-1636, **fax:** (202) 267-4823  
**E-mail:** [jcreighton@comdt.uscg.mil](mailto:jcreighton@comdt.uscg.mil)

All of the above can also be reached through the DoD Voting Information Center and the FVAP Website at [www.fvap.ncr.gov](http://www.fvap.ncr.gov)

**Please share this copy of VIN with others.**

(**Guidelines**, from page 1) the previous residence without re-establishing new physical presence and intent to remain or return.

"Home of Record" should not be confused with legal residence. "Home of Record" is the address a military member had upon entry into the Service. It does not change. "Home of Record" and legal residence may be the same address, and usually are, when you enter military service. It can remain so even though you or your relatives no longer live at that location, as long as you have not established a residence elsewhere after entering on active duty. If you change legal residence after entering on active duty, you may not revert to claiming the "Home of Record" as legal residence without re-establishing physical presence and intent to remain in or return to that state.

Family members of active duty military personnel may each have a different legal residence. A spouse does not automatically assume the legal residence of the active duty member upon marriage. The spouse must meet the physical presence and intent to remain or return criteria. Minors typically assume the legal residence of either parent, and when they become 18, they also have the option of establishing their own legal residence, which can be different from either parent, assuming they have met the guidelines of physical presence and intent to remain or return.

**General guidelines for citizens residing outside the United States not affiliated with the government to help determine their legal state of residence for voting purposes.**

"Legal state of residence" for voting purposes is the state you last resided immediately prior to your departure from the United States. This right extends to overseas citizens even though they may no longer own property or have other ties to their last state of residence and their intent to return to that state may be uncertain.

The *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* of 1986 provides that exercising the right to vote, in elections for Federal offices, under the *Act* should not affect, for purposes of any Federal, state or local tax, the residence or domicile of a person exercising such right. Voting in an election

for Federal offices only may not be used as the sole basis to determine residency for the purposes of imposing state and local taxes. If you claim a particular state as your residence and have other ties with that state in addition to voting, then you may be liable for state and local taxation, depending upon that particular state law. Appendix E of the 2000-01 Voting Assistance Guide contains information on probable tax obligations (Probable State Income Tax Liability).

Your right to vote in your state and determination of voting precinct depend on your physical residence while you were within that state.

Our website at **[www.fvap.ncr.gov](http://www.fvap.ncr.gov)** provides information on absentee voting, the procedures and the law. If you have further questions which cannot be answered locally please contact the FVAP directly (contact info on page 2).

Voting is not only a right - it is a mark of responsible citizenship. Voters should familiarize themselves with the issues and candidate positions and vote for the candidate who represents their interests. The FVAP public service campaign for election 2000 emphasizes this theme. If you don't do it, who will? Don't let someone else's opinion count more than yours!" ☒

Don't miss even one edition of this newsletter. Please let us know if you change your e-mail address and/or mailing address to ensure your continued receipt of the Voting Information News newsletter and the Voting News Releases.

Stay Tuned For These Upcoming Feature Articles:

- Armed Forces Voters Week
- Federal Write-In Absentee Ballot
- Y2Vote Website
- 2000 Post Election Survey
- Second Printing of the 2000-01 Voting Assistance Guide



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